



January 22, 2010

Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, SW Room TW-A325

Re: Reply Comments for WT 09-217

Dear Ms. Dortch:

*Board of County
Commissioners*

Osceola County is located in Central Florida (Orlando MSA) covering a total area of 1,506 square miles. Regionally the Orlando MSA population is 2 million with Osceola County the 17th fastest growing county in the United States and a population estimate of over 244,000. This rapid growth is expected to continue for the next 10 years.

*Emergency
Communications*

*Department
800 MHz
Radio System*

Osceola County respectfully submits this letter in response to the Petition for Rulemaking of the National Public Safety Telecommunications Council (NPSTC) and the comments submitted by commercial carriers and industry organizations. Many of the industry comments question public safety's need or desire to deploy two-way paging systems and suggest that leasing commercial carrier service is a better alternative to operating private two-way paging systems for mission-critical, first-responder alerting. The County respectfully disagrees with these assertions.

Paging Services

Osceola
County

I. THE COMMISSION SHOULD NOT ASSUME PUBLIC SAFETY LACKS DESIRE TO DEPLOY PRIVATE TWO-WAY PAGING SYSTEMS

Several comments have suggested that public safety lacks interest in private two-way paging systems, one citing the lack of applications to construct systems in NPCS Region 2 as supporting evidence. This conclusion shows a fundamental misunderstanding of how government budget cycles function regarding large system procurements. Typically, government agencies forecast large dollar investments at least 5 years ahead of funding through the Capital Improvement Project (CIP) initiative. When government agencies forecast future projects that require funding, the County believes that very few would plan for a system where the FCC authorization carries a high risk of failure. The study in point for public safety NPCS licensing under the current regulatory framework is Richmond, VA. Richmond appears to have faced significant challenges in obtaining their authorization, including an opposition filed by USA Mobility largely on philosophical grounds but not any direct concern actionable by the commission.¹ The risks of similar delays (or even outright failure) faced by other applicants, considered as part of a major CIP project, are simply outrageous and unacceptable. In our case, Osceola County is currently executing a \$500,000 station alerting upgrade. Even though

¹ USA Mobility Comments, DA-05-1511

a two-way paging system could have been a viable way to proceed for this project, the County could not seriously consider the two-way paging option based on the current regulatory obstacles. Our dismissal of this otherwise viable technology was not because we lacked interest. Our actions are because we are simply unwilling to introduce this much uncertainty into a multi-year CIP program. Were there a clear, well-understood spectrum policy concerning authorizations for public safety to operate two-way paging systems, we would have considered this technology more seriously.

II. COMMERCIAL SERVICE IS NOT AN ALTERNATIVE TO PRIVATE TWO-WAY PAGING

Osceola County has experienced our share of natural disasters including three consecutive hurricanes that devastated central Florida in 2004. We have direct experience with both commercial and private networks during times of crisis such as this. Commercial networks experienced widespread failures not only during but following these disasters, not just in Osceola County but in all affected areas, negatively affecting first responders and support personnel relying on these services.² In comparison, the

² See Florida Department of Transportation Hurricane Response Evaluation and Recommendations, February 11, 2005, at p. 39

Osceola County public safety radio systems fared much better allowing our police and fire to communicate during the entire event.

To suggest that public safety use commercial services for alerting is misguided. Public safety relies on hardened, highly-available private systems. This fact was true before there were even any commercial networks in existence, and it is true today. It is true for voice, mobile data, and paging systems. The reasons for use of private systems are well documented and go far beyond the scope of this proceeding³, but the fact that commercial paging worked successfully during Katrina does not change the fact that mission-critical public safety communications are within the purview of private systems and not carrier services. In the case of paging, it does appear that commercial carriers have better access to newer technology than most public safety agencies. However, this is not a reason to move public safety onto commercial service. It is a reason to fix the regulatory problems that prevent public safety from utilizing the best available technologies.

III. CONCLUSION

³ See, e.g., NPSTC Reply Comments , DA-05-1511, at p. 5

Industry asserts that public safety has no interest in deploying private two-way paging systems, and that public safety is better served using commercial services for two-way paging. Both assertions are factually incorrect, self-serving, and represent a fundamental misunderstanding of public safety and the issues we face on a daily basis. Please help NPSTC fix the true underlying problem, which is a lack of access to the bands that support commercial, off-the-shelf two-way paging equipment.

Sincerely

A handwritten signature in blue ink, appearing to read 'Robin Langlotz', with a stylized, flowing script.

Robin Langlotz
Osceola County